

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2003 - 0075

RESOLUTION ADOPTING A  
REGULATION SETTING FEES FOR THE  
WASTEWATER TREATMENT PLANT CLASSIFICATION AND  
OPERATOR CERTIFICATION PROGRAM (PROGRAM)

WHEREAS:

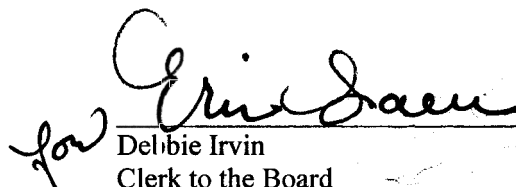
1. Water Code section 13628 requires the State Water Resources Control Board (SWRCB) to establish a fee schedule to provide revenues to cover the cost of the Program. The fee schedule is set by regulation and is contained in section 3717, Title 23, of the California Code of Regulations;
2. The SWRCB has determined that the fee schedule established in 1992 does not generate sufficient revenues to pay costs associated with the administration including enforcement of the Program;
3. To correct this deficit, the fees were increased in 2003 in an emergency rulemaking, which was adopted by the SWRCB and approved by the Office of Administrative Law;
4. The SWRCB has determined that a permanent increase in the fee categories listed in section 3717, Title 23, of the California Code of Regulations is necessary to fully support the costs of the Program; and
5. The SWRCB has consulted with the Program Advisory Committee in accordance with Water Code section 13633.

THEREFORE BE IT RESOLVED THAT:

1. The proposed amendment to section 3717, Title 23, of the California Code of Regulations is adopted and the Executive Director is authorized to transmit the amendment to the Office of Administrative Law for filing with the Secretary of State; and
2. If the Executive Director finds that there is a substantial risk that the provisions of Title 23, California Code of Regulations, Division 3, Chapter 26, section 3717 will expire before permanent regulations take effect, the Executive Director is authorized to adopt emergency regulations as appropriate to provide authority for the SWRCB require an increase in fees to provide revenues to cover the cost of the Program. This delegation includes authorization to make a finding or findings of emergency, to readopt emergency regulations with any revisions determined to be appropriate by the Executive Director, and to transmit any emergency regulations adopted by the Executive Director to the Office of Administrative Law for filing with the Secretary of State.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 15, 2003.

  
Delbie Irvin  
Clerk to the Board